



## U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART 724 FW 6	SUBJECT Service Manual Chapter 724 FW 6 Depredating birds at fish rearing facilities	RELEASE NUMBER FWM #460
ORIGINATING OFFICE Division of Migratory Bird Management		DATE July 18, 2005

### EXPLANATION OF MATERIAL TRANSMITTED:

Explains issuance of depredation permits for fish-eating birds preying on fish at aquaculture and hatchery facilities. This chapter supercedes Director's Order 27, as amended.

*Marshall Jones*  
Acting DIRECTOR

### FILING INSTRUCTIONS:

Remove:

None

Insert:

724 FW 6

**FISH AND WILDLIFE SERVICE  
MIGRATORY BIRDS**

**Migratory Birds**

**Part 724 Migratory Bird Permits**

**Chapter 6 Depredating Birds at Fish Culture Facilities**

**724 FW 6**

**6.1 What is the purpose of this chapter?** This chapter describes when we can issue depredation permits for fish-eating birds at fish culture facilities.

**6.2 What is the Service's policy for issuing depredation permits for fish-eating birds at fish culture facilities?** Officials in our migratory bird permit offices can issue depredation permits for fish-eating birds preying on fish at aquaculture and hatchery facilities when:

**A.** Employees from the Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services are unable to kill the fish-eating birds themselves, and that all other deterrence methods, as listed on the application and certified by the Wildlife Services official, have failed.

**B.** The responsible Wildlife Services official signs the application certifying the information is correct. The application must list, by species, the recommended numbers to kill. The application must also include a statement of the degree of economic loss anticipated if the birds remain.

**C.** There are no outstanding circumstances that would prohibit us from issuing a permit, such as endangered/threatened species concerns, significant risk to the bird population(s) in question, or significant objections from State or tribal governments.

**6.3 What is the objective of this policy?** We developed this policy to provide immediate, short-term relief to aquaculture producers from economic and resource losses caused by fish-eating birds lured to aquaculture facilities by an abundant and available food supply.

**6.4 What are the authorities for this policy?**

**A.** Migratory Bird Treaty Act, as amended (16 U.S.C. 703-712).

**B.** 50 CFR 21.47 – 21.48, Depredation Order for Double-Crested Cormorants.

**6.5 What species are not included under this policy?** This policy does not include:

**A.** Endangered, threatened, or other migratory birds listed as sensitive or of special concern by Regional Directors or the California/Nevada Operations (CNO) Office Manager, or

**B.** Birds listed as Migratory Birds of Conservation Concern on the Service's Migratory Bird Status and Conservation website, or

**C.** Migratory game birds, other than mergansers.

**6.6 Are there exceptions to this policy?** There are two exceptions that apply to taking double-crested cormorants only:

**A.** As described in 50 CFR 21.47, in certain States depredating cormorants at commercial freshwater aquaculture facilities and State and Federal hatcheries may be killed without a depredation permit. The States are: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Minnesota, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

**B.** As described in 50 CFR 21.48, in certain States depredating cormorants at Federal, State, and tribal hatcheries may be killed without a depredation permit. The States are: Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.